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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
097105,150	06/26/98	DONFRANCESCO	A 36087

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MARK S BICKS  
ROYLANCE ABRAMS BERDO & GOODMAN  
SUITE 315  
1225 CONNECTICUT AVENUE NW  
WASHINGTON DC 20036-2680

EXAMINER
NGANDJUI, A

ART UNIT	PAPER NUMBER
2833	

DATE MAILED: 06/04/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/105,150**

Applicant(s)  
**Angelo T. Donfrancesco et al.**

Examiner  
**Antoine Ngandjui**

Group Art Unit  
**2833**



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-18 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-18 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It has been held that the functional "whereby" statement does not define any structure and accordingly can not serve to distinguish. In re Mason, 114 USPQ 127, 44 CCPA 937 (1957).

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by J. Balint.

In regard to claims 1, 11, and 16, J. Balint discloses in figure 2, a terminal assembly, comprising: a terminal base 3 having a bore 5 with an internal thread 6, a screw X (see attachment A, figure 2) having a shank 8 with opposite first and second ends and with an external thread Y

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(see attachment A, figure 2), and having a head 39 on a first end of a shank, and a deformation 35 in a portion of an external thread.

In regard to claim 2, J. Balint discloses, a deformation which comprises a stake (see column 4, line 31).

In regard to claim 3, J. Balint discloses in figure 2, a second end of a shank which is circular, and the shank extends along a chord of the second end.

In regard to claims 4, and 17, J. Balint discloses in figure 2, a shank which is offset from a longitudinal axis.

In regard to claim 5, J. Balint discloses in figure 2, a portion of an external thread forming the deformation which has a reduced width between adjacent crests.

In regard to claims 6, and 12, J. Balint discloses in figure 5, a backing plate 4 which has a central aperture 7.

In regard to claims 7, and 13, J. Balint discloses in figure 2, a backing plate which comprises a depending tab 13, and a terminal base which comprises an opening 2.

In regard to claims 8, and 14, J. Balint discloses in figure 2, a backing plate which comprises depending first and second tabs on opposite side edges, and the terminal base which comprises first and second openings.

In regard to claims 9, and 15, J. Balint discloses in figure 2, a terminal base which comprises a contact 41 extending therefrom.

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In regard to claim 10, J. Balint discloses in figure 4, an external thread which has an axial length sustaining greater than an axial length of an internal thread.

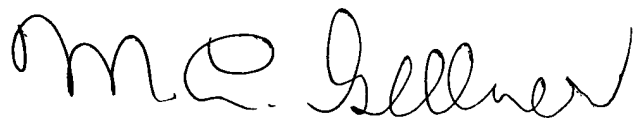
In regard to claim 18, J. Balint discloses in figure 4, a shank which is placed within a central aperture of a backing plate before being threaded into the bore.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antoine Ngandjui whose telephone number is (703) 305-0069. The examiner can normally be reached on Monday-Thursday from 7:30 A.M. to 5:00 P.M.. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley, can be reached on (703) 308-2319. The fax phone number for this Group is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1782.



Michael L. Gellner  
Supervisory Patent Examiner  
Technology Center 2800

AN

May 28, 1999